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| EXAMINER | |
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| EASWARAN, DAVID S | |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/586,354 | SHIMIZU, NORIYUKI | |
| | Examiner | Art Unit | |
| | DAVID S. EASWARAN | 3689 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *28 July 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1,2 and 4-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2 and 4-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 July 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

### Status of Claims

1. This action is in reply to the amendment filed on 7/28/2009.

2. Claims 1, 2 and 4 – 21 have been amended.

3. Claim 3 has been canceled.

4. Claims 1, 2 and 4 – 21 are currently pending and have been examined.

### *Response to Amendment*

5. The objection to claim 1, presented in the previous action, has been overcome by amendment.

6. The 112 2nd paragraph rejections, presented in the previous action, have been overcome by amendment.

7. The 101 rejections of claims 14 – 21 have been overcome by amendment.

### ***Art Rejections***

### *Claim Rejections - 35 USC § 102*

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1, 2, 4 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Kasajima (EP 1160705, hereinafter Kasajima).

**Claim 1:**

Kasajima discloses the following:

*A customer management system comprising a home appliance device connectable to a home network and a management apparatus operable to manage information concerning a customer, said home appliance device and said management apparatus being connected to each other via a network,*

- *wherein said home appliance device includes:*
  - *a reading unit operable to automatically read customer information concerning the customer via the home network from a recording medium included in another home appliance device connected to the home network* (See at least Kasajima paragraph 0049, stating that "the multi-functional network communication terminal 1 constantly takes in attribute Information on the living facilities and equipment 3 connected to the feeding information network in the dwelling house A. When there occurs change in the information or after a fixed time is passed even when there is no change, specific individual information D2 including their attribute information and living individual information is automatically sent to the specific service server 6." This passage shows that the home device can

automatically read information regarding the customer's appliances. See Response to Arguments section below for further clarification)*;*

- *a manufacturing number holding unit operable to hold a manufacturing number provided at a time of manufacturing said home appliance device* (See Kasajima paragraph 0049, showing that information is saved up and transmitted to the center management server periodically. Kasajima need not disclose that the home device stores a manufacturing number, but merely that the device is **operable to hold** such a number. As shown in this passage, Kasajima discloses the ability to store information and therefore is operable to store a manufacturing number, which is merely a type of information. Further see Kasajima paragraph 0054, stating that some of the attribute information stored includes "date of manufacturing, model number, product name, basic function, additional function, and present condition," which suggests the ability to store a wide range of information, including numbers.)*;*
- *a transmission record preparing unit operable to prepare a transmission record describing at least one of (i) function information assigned based on a form of use of said home appliance device, (ii) the customer information, and (iii) the manufacturing number* (See at least Kasajima paragraph 0049, stating that "[w]hen there occurs change in the information or after

a fixed time is passed even when there is no change, specific Individual Information D2 Including their attribute information and living individual information is automatically sent to the specific service server 6." This passage shows that the home device can prepare a transmission that will describe customer information.)*; and*

- *a transmitting unit operable to transmit the transmission record to said management apparatus* (See at least Kasajima column 3, lines 24 – 28, showing that the dwelling management server has means for sending the information to a center management server.),

- *and wherein said management apparatus includes:*
  - *a receiving unit operable to receive the transmission record transmitted by said transmitting unit of said home appliance device* (See at least Kasajima column 3 lines 24 – 28, showing that the center management server receives information from the dwelling management server.)*;*
  - *a transmission record reading unit operable to read information described in the received transmission record* (See at least Kasajima column lines 24 – 32, which indicate that the center management server receives the information and analyzes it. If the server analyzes the information, it must, of course, be able to read the information.)*; and*

- *an analysis unit operable to analyze the information read by said transmission record reading unit* (See at least Kasajima column lines 28 – 32, showing the center management server analyzing the read information.).

**Claim 2:**

The rejection of claim 1 above is incorporated herein. Kasajima further discloses that *said analysis unit is operable to analyze a status of use based on the function information* (See at least Kasajima column 3, lines 28 – 32, showing the center management server analyzing the actual usage information.).

**Claim 4:**

The rejection of claim 1 above is incorporated herein. Kasajima further discloses that *said manufacturing number holding unit holds a manufacturing number that is unique to said home appliance device* (See Kasajima paragraph 0054, stating that some of the attribute information stored includes "date of manufacturing, model number, product name, basic function, additional function, and present condition," which suggests the ability to store a wide range of information unique to a particular home appliance device.).

**Claim 9:**

Kasajima discloses the following:

- *a reading unit operable to automatically read customer information concerning the customer via the home network from a recording medium included in another home appliance device connected to the home network* (See at least Kasajima paragraph 0049, stating that "the multi-functional network communication terminal 1 constantly takes in attribute Information on the living facilities and equipment 3 connected to the feeding information network in the dwelling house A. When there occurs change in the information or after a fixed time is passed even when there is no change, specific individual information D2 including their attribute information and living individual information is automatically sent to the specific service server 6." This passage shows that the home device can automatically read information regarding the customer's appliances. See Response to Arguments section below for further clarification);
- *a manufacturing number holding unit operable to hold a manufacturing number provided at a time of manufacturing said home appliance device* (See Kasajima paragraph 0049, showing that information is saved up and transmitted to the center management server periodically. Kasajima need not disclose that the home device stores a manufacturing number, but merely that the device is **operable to hold** such a number. As shown in this passage, Kasajima discloses the ability to store information and therefore is operable to store a manufacturing number, which is merely a type of information. Further see Kasajima paragraph 0054, stating that

some of the attribute information stored includes "date of manufacturing, model number, product name, basic function, additional function, and present condition," which suggests the ability to store a wide range of information, including numbers.)*;*

- *a transmission record preparing unit operable to prepare a transmission record describing at least one of (i) function information assigned based on a form of use of said home appliance device, (ii) the customer information, (iii) and the manufacturing number* (See at least Kasajima paragraph 0049, stating that "[w]hen there occurs change in the information or after a fixed time is passed even when there is no change, specific Individual Information D2 Including their attribute information and living individual information is automatically sent to the specific service server 6." This passage shows that the home device can prepare a transmission that will describe customer information.)*; and*
- *a transmitting unit operable to transmit the transmission record to the management apparatus* (See at least Kasajima column 3, lines 24 – 28, showing that the dwelling management server has means for sending the information to a center management server.).

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

12. Claims 5, 6, 13, 14 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kasajima.

**Claim 5:**

The rejection of claim 1 above is incorporated herein. Kasajima further discloses the following:

- *a customer database operable to hold the customer information described in the received transmission record* (See at least Kasajima paragraph 0086, stating that "[t]he service server 6 has a user management data base 2a in which location information on contracted dwelling house such as address, telephone number, and so on is stored.");

- *a merchandise database operable to hold the manufacturing number described in the received transmission record* (See at least Kasajima paragraph 0128, stating that "[t]he center management server 8 accumulates the received usage record data D In the user data base 2b.")*;*
- *an analysis information database operable to hold an analysis result in said analysis unit* (See at least Kasajima column 3, lines 28 – 31, stating that "the center management server…stores the analysis results in the use actual result data base.")*; and*

Kasajima does not specifically disclose *a record updating unit operable to, after receiving unit receives the transmission record, update the customer information held in said customer database, update the manufacturing number held in said merchandise database, and update the analysis result held in said analysis information database.*

However, Kasajima does show that the customer information is updated when it is received (See Kasajima paragraphs 0121 and 0122, showing that customer information is entered into the database upon its receipt and the customer is registered). Further, Kasajima shows that the merchandise database is updated routinely (Kasajima paragraph 0128 states that the merchandise information is "accumulated," indicating that it is likely updated upon its receipt, but is certainly updated at some point.). Further, Kasajima does show that the analysis result database is updated upon the performance of an analysis (See at

least Kasajima column 3, lines 28 – 31, stating that "the center management server…stores the analysis results in the use actual result data base.").

Therefore, while Kasajima does not specifically disclose a record updating unit operable to perform all three of these functions, Kasajima does contemplate that these three functions are performed. As such, it would have been obvious for one of ordinary skill in the art at the time of the invention to include a record updating unit operable to update the various databases because having a single unit to perform similar tasks would reduce the overall complexity of the system.

**Claim 6:**

The rejection of claim 5 above is incorporated herein. Kasajima further discloses a *record updating unit is operable to add and register the customer information into said customer database* *when said determination unit determines that the customer information is new customer information* (See at least Kasajima paragraph 0122).

Kasajima does not specifically disclose *a determination unit operable to determine whether the customer information included in the received transmission record is new customer information.*

However, it is old and well known in the art for a database to be searchable for duplicate information. Searching databases is, indeed, a primary purpose of databases, generally. For example, web directories such as Yahoo! have employed database searching since the 1990s, listing only results that

match searched information. A determination unit to determine whether customer information is new would simply search the user database for the customer information and, if found, state that the customer is not new, and if not found, that the customer is new. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to include a determination unit operable to determine whether the customer information is new because it would prevent the inclusion of multiple registration profiles for the same user of the system.

**Claim 13:**

The rejection of claim 12 above is incorporated herein. Kasajima does not specifically disclose that *said first-time determination unit is operable to determine whether the received transmission record was prepared at the time of first-time usage of the home appliance device by determining, from the information read by said transmission record reading unit, whether the customer is a new customer, whether a combination of the customer and the home appliance device is a new combination, or whether the home appliance device is a new device.*

However, it is old and well known in the art for a database to be searchable for duplicate information. Searching databases is, indeed, a primary purpose of databases, generally. For example, web directories such as Yahoo! have employed database searching since the 1990s, listing only results that match searched information. A determination unit to determine whether customer

information is new can simply search the user database for the customer information and, if found, state that the customer is not new, and if not found, that the customer is new. A similar tack can be taken with the combination of a customer and an appliance or just with an appliance standing alone. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to include a determination unit operable to determine whether the customer information is new, the combination of a customer and an appliance is new, or the appliance alone is new because it would prevent the inclusion of multiple registration profiles for the same user of the system.

**Claim 14:**

Kasajima discloses the following:

*A computer-readable recording medium having a program recorded thereon* (See Kasajima paragraph 0124, stating that "the program P may be delivered through a recording medium such as CD-ROM."), *the program for being used in a home appliance device connected, via a network, to a management apparatus that is provided on a manufacturer side and that manages information concerning a customer, and connected to a home network, said program causing a computer to execute a method comprising:*

- *a reading step of automatically reading customer information concerning the customer via the home network from a recording medium included in another home appliance device connected to the home network* (See at

least Kasajima paragraph 0049, stating that "the multi-functional network communication terminal 1 constantly takes in attribute Information on the living facilities and equipment 3 connected to the feeding information network in the dwelling house A. When there occurs change in the information or after a fixed time is passed even when there is no change, specific individual information D2 including their attribute information and living individual information is automatically sent to the specific service server 6." This passage shows that the home device can automatically read information regarding the customer's appliances. See Response to Arguments section below for further clarification)*;*

- *a transmission record preparing step of preparing a transmission record describing at least one of (i) function information assigned based on a form of use of the home appliance device, (ii) the customer information, and (iii) the manufacturing number* (See at least Kasajima paragraph 0049, stating that "[w]hen there occurs change in the information or after a fixed time is passed even when there is no change, specific Individual Information D2 Including their attribute information and living individual information is automatically sent to the specific service server 6." This passage shows that the home device prepares a transmission that will describe customer information.)*; and*
- *a transmission step of transmitting the transmission record to the management apparatus* (See at least Kasajima column 3, lines 24 – 28,

showing that the dwelling management server sends the information to a center management server.).

Kasajima does not specifically disclose *a manufacturing number holding step of holding a manufacturing number provided at a time of manufacturing the home appliance device;*

However, see at least Kasajima paragraph 0049, stating that "the multi-functional network communication terminal 1 constantly takes in attribute Information on the living facilities and equipment," which shows that the home device takes in information regarding the appliances. It is likely the case that Kasajima intended for this information to include manufacturing numbers. Nonetheless this is not an inherent property of the method.

Regardless, it would have been obvious for one of ordinary skill in the art at the time of the invention to hold the manufacturing number of the appliance because the manufacturing number is a unique value that can be easily used to track an appliance and therefore would be a valuable piece of information to provide to the networked managing server.

**Claim 18:**

Kasajima discloses the following:

*A customer management method used in a home appliance device connected to a home network and connected via a network to a management apparatus*

*provided on a manufacturer side, and that manages information concerning a customer, wherein the home appliance device includes:*

- *a reading unit* (This feature is inherent given the functionality described in the method steps below.)*;*
- *a manufacturing number holding unit* (See at least Kasajima paragraph 0049, stating that "the multi-functional network communication terminal 1 constantly takes in attribute Information on the living facilities and equipment," which shows that the home device takes in information regarding the appliances. Further see Kasajima paragraph 0054, stating that some of the attribute information stored includes "date of manufacturing, model number, product name, basic function, additional function, and present condition," which suggests the ability to store a manufacturing number. Therefore, Kasajima does inherently disclose a manufacturing number holding unit, because this data taken in must be placed somewhere.)*;*
- *a transmission record preparing unit* (This feature is inherent given the functionality described in the method steps below.)*; and*
- *a transmission unit* (This feature is inherent given the functionality described in the method steps below.)*, and*
- *wherein said customer management method comprises:*
    - *a reading step of automatically reading, by the reading unit via the home network, customer information concerning the customer from*

*a recording medium* *included in another home appliance device connected to the home network* (See at least Kasajima paragraph 0049, stating that "the multi-functional network communication terminal 1 constantly takes in attribute Information on the living facilities and equipment 3 connected to the feeding information network in the dwelling house A. When there occurs change in the information or after a fixed time is passed even when there is no change, specific individual information D2 including their attribute information and living individual information is automatically sent to the specific service server 6." This passage shows that the home device can automatically read information regarding the customer's appliances. See Response to Arguments section below for further clarification)*;*

- *a manufacturing number* *holding* *step of holding, by the manufacturing number holding unit, a manufacturing number* (See at least Kasajima paragraph 0049, stating that "the multi-functional network communication terminal 1 constantly takes in attribute Information on the living facilities and equipment," which shows that the home device takes in information regarding the appliances. Further see Kasajima paragraph 0054, stating that some of the attribute information stored includes "date of manufacturing, model number, product name, basic function, additional function, and

present condition," which suggests the ability to store a manufacturing number. Therefore, Kasajima does inherently disclose a manufacturing number holding unit, because this data taken in must be placed somewhere.)*;*

- *a transmission record preparing step of preparing, by the transmission record preparing unit, a transmission record describing at least one of (i) function information assigned based on a form of use of the home appliance device, (ii) the customer information, and (iii) the manufacturing number* (See at least Kasajima paragraph 0049, stating that "[w]hen there occurs change in the information or after a fixed time is passed even when there is no change, specific Individual Information D2 Including their attribute information and living individual information is automatically sent to the specific service server 6." This passage shows that the home device prepares a transmission that will describe customer information.)*; and*
- *a transmission step of transmitting, by the transmission unit, the transmission record to the management apparatus* (See at least Kasajima column 3, lines 24 – 28, showing that the dwelling management server sends the information to a center management server.)*.*

Kasajima does not specifically disclose that the manufacturing number is *provided at a time of manufacturing the home appliance device.*

However, it would have been obvious for one of ordinary skill in the art at the time of the invention to hold the manufacturing number provided at a time of manufacturing the device because the manufacturing number is a unique value that is most commonly assigned upon creation of a product, thereby storing this information at that time would obviate any potential problems that might result from the inability to identify a product during any gap period between the time of creation of the product and the time at which the manufacturing number is stored with the product.

13. Claims 7, 8, 10, 11, 12, 15, 16, 17, 19, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kasajima in view of Rydbeck (6,163,693, hereinafter Rydbeck).

**Claim 7:**

The rejection of claim 1 above is incorporated herein. Kasajima further discloses the following:

- *wherein said transmission record preparing unit is operable to prepare a first-time transmission record including the customer information and the manufacturing number, when said first-time determination unit determines that the customer information has been read by said reading unit at the*

*time of first-time usage* (See at least Kasajima paragraph 0049, stating that "[w]hen there occurs change in the information or after a fixed time is passed even when there is no change, specific Individual Information D2 Including their attribute information and living individual information is automatically sent to the specific service server 6." This passage shows that the home device is operable to prepare a transmission that will include customer and appliance information.), *and*

- *wherein said transmitting unit is operable to transmit the first-time transmission record to said management apparatus* (See at least Kasajima column 3, lines 24 – 28, showing that the dwelling management server has means for sending the information to a center management server.).

Kasajima does not specifically disclose that *said home appliance device includes a first-time determination unit operable to determine whether the customer information has been read by said reading unit at a time of first-time usage ,*

However, Rydbeck does show such a feature (See at least Rydbeck abstract, stating that "[a]fter being powered-on, the wireless communications device checks a non-volatile warranty registration status-flag. If that flag indicates that the wireless communications device has not previously registered, the wireless communications [registers the product]." Because the check is performed when the device is powered on, it therefore is done "at a time of first-time usage."). It would have been obvious for one of ordinary skill in the art at the

time of the invention to combine the warranty system of Rydbeck with the device/server network of Kasajima because it would ensure registration of every product with the management server, thereby maximizing the capabilities of the network.

**Claim 8:**

The rejection of claim 7 above is incorporated herein. Kasajima does not specifically disclose that *said home appliance device further includes a device control unit operable to bring said home appliance device into a usage permitted state after the first-time transmission record has been transmitted by said transmitting unit.*

However, Rydbeck discloses such a feature (See at least Rydbeck abstract, stating "If that flag indicates that the wireless communications device has not previously registered, the wireless communications device sends a unique identifier, such as a serial number, to a warranty registration center...The wireless communications device then changes the warranty registration status flag to indicate that the device has been registered for warranty purposes. Once this automated warranty registration is complete, the wireless communication device proceeds with normal operation."). It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the warranty system of Rydbeck with the device/server network of Kasajima because it would

ensure registration of every product with the management server, thereby maximizing the capabilities of the network.

**Claim 10:**

The rejection of claim 9 above is incorporated herein. Kasajima further discloses the following.

- *wherein said transmission record preparing unit is operable to prepare a first-time transmission record including the customer information and the manufacturing number, when said first-time determination unit determines that the customer information has been read by said reading unit at the time of first-time usage* (See at least Kasajima paragraph 0049, stating that "[w]hen there occurs change in the information or after a fixed time is passed even when there is no change, specific Individual Information D2 Including their attribute information and living individual information is automatically sent to the specific service server 6." This passage shows that the home device is operable to prepare a transmission that will include customer and appliance information.), *and*
- *wherein said transmitting unit is operable to transmit the first-time transmission record to the management apparatus* (See at least Kasajima column 3, lines 24 – 28, showing that the dwelling management server has means for sending the information to a center management server.).

Kasajima does not specifically disclose *a first-time determination unit operable to determine whether the customer information has been read by said reading unit at a time of first-time usage.*

However, Rydbeck does show such a feature (See at least Rydbeck abstract, stating that "[a]fter being powered-on, the wireless communications device checks a non-volatile warranty registration status-flag. “f that flag indicates that the wireless communications device has not previously registered, the wireless communications [registers the product]." Because the check is performed when the device is powered on, it therefore is done "at a time of first-time usage.”). It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the warranty system of Rydbeck with the device/server network of Kasajima because it would ensure registration of every product with the management server, thereby maximizing the capabilities of the network.

**Claim 11:**

The rejection of claim 10 above is incorporated herein. Kasajima does not specifically disclose that *said home appliance device includes a device control unit operable to bring said home appliance device into a usage permitted state after the first-time transmission record has been transmitted by said transmitting unit.*

However, Rydbeck discloses such a feature (See at least Rydbeck abstract, stating "If that flag indicates that the wireless communications device has not previously registered, the wireless communications device sends a unique identifier, such as a serial number, to a warranty registration center...The wireless communications device then changes the warranty registration status flag to indicate that the device has been registered for warranty purposes. Once this automated warranty registration is complete, the wireless communication device proceeds with normal operation."). It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the warranty system of Rydbeck with the device/server network of Kasajima because it would ensure registration of every product with the management server, thereby maximizing the capabilities of the network.

**Claim 12:**

Kasajima discloses the following:

*A management apparatus that is connected to a home appliance device connectable to a home network, that is provided on a manufacturer side, and that manages information concerning a customer, said management apparatus comprising:*

- *a receiving unit operable to receive a transmission record describing at least one of (i) function information assigned based on a form of use of the home appliance device, (ii) customer information concerning the*

*customer, and (iii) a manufacturing number provided at a time of manufacturing the home appliance device, the transmission record being transmitted from the home appliance device* (See at least Kasajima column 3 lines 24 – 28, showing that the center management server receives information from the dwelling management server.)*;*

- *a customer database that holds the customer information included in the received transmission record* (See Kasajima paragraph 0013, column 3, lines 28 – 31, stating that "the center management server analyzes the use actual results and stores the analysis results in the use actual result data base.")*;*
- *a transmission record reading unit operable to read information described in the received transmission record* (See at least Kasajima column lines 24 – 32, which indicate that the center management server receives the information and analyzes it. If the server analyzes the information, it must, of course, be able to read the information.)*;*
- *a record updating unit operable to add the customer information included in the received transmission record to said customer database, when said first-time determination unit determines that the received transmission record was prepared at the time of first-time usage of the home appliance device* (See Kasajima paragraph 0122)*; and*
- *an analysis unit operable to analyze a status of use based on the function information, the status of use being analyzed based on the information*

*read by said transmission record reading unit* (See at least Kasajima column lines 28 – 32, showing the center management server analyzing the read information.).

Kasajima does not specifically disclose *a first-time determination unit operable to determine whether the received transmission record has been prepared at a time of first-time usage of the home appliance device, based on the information read by said transmission record reading unit;*

However, Rydbeck discloses first-time determination unit operable to determine whether the received transmission record has been prepared at a time of first usage (See Rydbeck column 7, lines 23 – 55, showing that a management apparatus receives a signal from the device to register a product. However, Rydbeck herein states that "if the database record opened has an indicator that matches an existing record, meaning that the [device] has already been registered, the new data is preferably disregarded and the existing database record is not changed," showing that the management apparatus determines whether the communication is a first-time usage by checking the incoming data against a database.). It would have been obvious for one of ordinary skill in the art at the time of the invention to include a first-time determination unit such as disclosed by Rydbeck, because it would enable the system to avoid double registrations of home appliance devices.

**Claims 15 and 19:**

The rejection of claims 14 and 18 respectively are incorporated herein. Kasajima further discloses the following:

- *transmitting the first-time transmission record to the management apparatus* (See at least Kasajima column 3, lines 24 – 28, showing that the dwelling management server sends the information to a center management server.).

Kasajima does not specifically disclose the following:

- *a first-time determination step of determining whether the customer information has been read by said reading step at a time of first-time usage,*
- *wherein said transmission record preparing step includes preparing a first-time transmission record including the customer information and the manufacturing number, when said first-time determination step determines that the customer information has been read by said reading step at the time of first-time usage.*

However, Rydbeck does show such a first time determination step (See at least Rydbeck abstract, stating that "[a]fter being powered-on, the wireless communications device checks a non-volatile warranty registration status-flag. “f that flag indicates that the wireless communications device has not previously registered, the wireless communications [registers the product]." Because the check is performed when the device is powered on, it therefore is done "at a time of first-time usage.”). It would have been obvious for one of ordinary skill in the

art at the time of the invention to combine the determination step of Rydbeck with the device/server network of Kasajima because it would ensure prompt registration of every product with the management server, thereby maximizing the functionality of the network.

Further, Kasajima does disclose the preparation of a transmission record that includes customer information and some appliance information (See at least Kasajima paragraph 0121, stating that "profile such as name, age, sexuality, family structure of the user and kind of objected network-adapted appliance are input as user individual information." In paragraph 0122, Kasajima further uses that information to finish the registration process.). Although Kasajima does not specifically disclose that the manufacturing number is included in this transmission record, it would have been obvious for one of ordinary skill in the art at the time of the invention to also include a manufacturing number because it would enable a much more accurate description of the relevant appliance.

**Claims 16 and 20:**

The rejection of claims 15 and 19 respectively are incorporated herein. Kasajima does not specifically disclose *bringing the home appliance device into a usage permitted state after the first-time transmission record has been transmitted by said transmitting step.*

However, Rydbeck discloses such a feature (See at least Rydbeck abstract, stating "If that flag indicates that the wireless communications device

has not previously registered, the wireless communications device sends a unique identifier, such as a serial number, to a warranty registration center...The wireless communications device then changes the warranty registration status flag to indicate that the device has been registered for warranty purposes. Once this automated warranty registration is complete, the wireless communication device proceeds with normal operation."). It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the flag-changing step of Rydbeck with the device/server network of Kasajima because it would ensure registration of every product with the management server, thereby maximizing the capabilities of the network.

**Claim 17:**

Kasajima discloses the following:

- *a receiving step of receiving a transmission record describing at least one of (i) function information assigned based on a form of use of the home appliance device, (ii) customer information concerning the customer, and (iii) a manufacturing number provided at a time of manufacturing the home appliance device, the transmission record being transmitted from the home appliance device* (See at least Kasajima column 3 lines 24 – 28, showing that the center management server receives a transmission record containing function information.).

- *a transmission record reading step of reading information described in the received transmission record* (See at least Kasajima column lines 24 – 32, which indicate that the center management server receives the information and analyzes it. If the server analyzes the information, it must, of course, be able to read the information.)*;*
- *a record updating step of adding the customer information included in the received transmission record to a customer database, when said first-time determination step determines that the received transmission record was prepared at the time of first-time usage of the home appliance device* (See Kasajima paragraph 0122)*; and*
- *an analysis step of analyzing a status of use based on the function information, the status of use being analyzed based on the information read by said transmission record reading step* (See at least Kasajima column lines 28 – 32, showing the center management server analyzing the read information.)*.*

Kasajima does not specifically disclose *a first-time determination step of determining whether the received transmission record has been prepared at a time of first usage of the home appliance device, based on the information read by said transmission record reading step;*

However, Rydbeck discloses a first-time determination step of determining whether the received transmission record has been prepared at a time of first usage (See Rydbeck column 7, lines 23 – 55, showing that a management

apparatus receives a signal from the device to register a product. However, Rydbeck herein states that "if the database record opened has an indicator that matches an existing record, meaning that the [device] has already been registered, the new data is preferably disregarded and the existing database record is not changed," showing that the management apparatus determines whether the communication is a first-time usage by checking the incoming data against a database.). It would have been obvious for one of ordinary skill in the art at the time of the invention to include a first-time determination step such as disclosed by Rydbeck, because it would enable the system to avoid double registrations of home appliance devices.

**Claim 21:**

Kasajima discloses the following:

*A customer management method used in a management apparatus that is connected to a home appliance device connectable to a home network, that is provided on a manufacturer side, and that manages information concerning a customer, wherein the management apparatus includes:*

- *a receiving unit* (This feature is inherent given the functionality described in the method steps below.);
- *a transmission record reading unit* (This feature is inherent given the functionality described in the method steps below.);

- *a record updating unit* (This feature is inherent given the functionality described in the method steps below.)*; and*
- *an analysis unit* (This feature is inherent given the functionality described in the method steps below.)*,*
- *wherein said customer management method comprises:*
    - *a receiving step of receiving, by the receiving unit, a transmission record describing at least one of (i) function information assigned based on a form of use of the home appliance device, (ii) customer information concerning the customer, and (iii) a manufacturing number provided at a time of manufacturing the home appliance device, the transmission record being transmitted from the home appliance device* (See at least Kasajima column 3 lines 24 – 28, showing that the center management server receives a transmission record containing function information.)*;*
    - *a transmission record reading step of reading, by the transmission record reading unit, information described in the received transmission record* (See at least Kasajima column lines 24 – 32, which indicate that the center management server receives the information and analyzes it. If the server analyzes the information, it must, of course, be able to read the information.)*;*
    - *a record updating step of adding, by the record updating unit, the customer information included in the received transmission record*

*to a customer database, when said first-time determination step determines that the received transmission record was prepared at the time of first-time usage of the home appliance device* (See Kasajima paragraph 0122)*; and*

- *an analysis step of analyzing, by the analysis unit, a status of use based on the function information, the status of use being analyzed based on the information read by said transmission record reading step* (See at least Kasajima column lines 28 – 32, showing the center management server analyzing the read information.).

Kasajima does not specifically disclose the following:

- *a first-time determining unit;*
- *a first time determination step of determining, by the first-time determination unit, whether the received transmission record has been prepared at a time of first-time usage of the home appliance device, based on the information read by said transmission record reading step;*

However, Rydbeck discloses a first-time determination step of determining whether the received transmission record has been prepared at a time of first usage (See Rydbeck column 7, lines 23 – 55, showing that a management apparatus receives a signal from the device to register a product. However, Rydbeck herein states that "if the database record opened has an indicator that matches an existing record, meaning that the [device] has already been registered, the new data is preferably disregarded and the existing database

record is not changed," showing that the management apparatus determines whether the communication is a first-time usage by checking the incoming data against a database.). To accomplish this step, Rydbeck inherently discloses a unit that performs it. It would have been obvious for one of ordinary skill in the art at the time of the invention to include a first-time determination step such as disclosed by Rydbeck, because it would enable the system to avoid double registrations of home appliance devices.

### *Response to Arguments*

14. Applicant's arguments filed 7/28/2009 have been fully considered but they are not persuasive.

15. Applicants arguments essentially boil down to the following elements:

    a. First, applicant argues that the combination disclosed in the previous office action does not disclose a reading unit that automatically reads information. However, Kasajima does disclose automatically reading information (Kasajima paragraph 0049 states that "[w]hen there occurs change in the information…specific Individual Information D2 Including their attribute information and living individual information Is automatically sent to the specific service server 6," showing that upon a detected change, the unit automatically reads and sends updated information.). As such, this argument is unpersuasive.

b. Second, applicant argues that the combination disclosed in the previous office action does not disclose that the reading unit reads information from another home appliance device. However, Kasajima also discloses this feature (See Kasajima paragraph 0049, stating that “the multi-functional network communication terminal 1 constantly takes In attribute information on the living facilities and equipment 3 connected to the feeding information network in the dwelling house A,” showing that the information is read from other home appliance devices.). Therefore, this argument is also unpersuasive.

c. Third, applicant argues that Matsumoto does not disclose a "home appliance device and a management apparatus connected to each other," but applicant concedes that Kasajima already shows this feature (Amendment page 23, stating that "Kasajima teaches that specific individual information is sent to a service server connected to an external network."). As such, this argument is also unpersuasive.

d. Finally, applicant argues that the combination does not disclose a "benefit of the structure" (Amendment, page 24). However, a benefit is not a required element of the claim language unless it is a limitation within the claim language. Therefore, failure to disclose an unclaimed feature is not a fault in the rejection. As such, this argument is also unpersuasive.

16. The Examiner notes that the taking of official notice in the previous office action has not been traversed; as such, the officially noted passages are hereafter

considered admitted facts for the record. See MPEP 2144.03, stating that "an applicant must specifically point out the supposed errors in the examiner's action, which would include stating why the noticed fact is not considered to be common knowledge or well-known in the art... A general allegation that the claims define a patentable invention without any reference to the Examiner's assertion of Official Notice would be inadequate…If applicant does not traverse the examiner's assertion of official notice or applicant's traverse is not adequate, the examiner should clearly indicate in the next Office action that the common knowledge or well-known in the art statement is taken to be admitted prior art because applicant either failed to traverse the examiner's assertion of official notice or that the traverse was inadequate. If the traverse was inadequate, the examiner should include an explanation as to why it was inadequate."

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory

period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **David Easwaran** whose telephone number is **571-270-5480**. The Examiner can normally be reached on Monday-Friday, 9:00am-5:30pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **JANICE A. MOONEYHAM**, can be reached at **571-272-6805**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://portal.uspto.gov/external/portal/pair. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks**

**Washington, D.C. 20231**

or faxed to **571-273-8300**.

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window**:

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